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CORAM : HON'BLE MR. P.H. TRIVEDI : VICE CHAIRMAN
HON'BLE MR. P.M. JOSHI : JUDICIAL MEMBER

8/12/1987

Heard Mr. B.B. Gogia and Mr. B.R. Kyada learned counsel for the applicant and the respondent respectively. The petitioner seeks relief in terms of directing the respondent in granting the promotion according to the judgment of the Allahabad High Court in Civil Miscellaneous No. 809/1972 and he apprehends that this may not be done on account of the note dated 9-9-1987. This note is an internal communication and has not resulted in any order in terms of denial of promotion or promotion to any one having lesser claim than the petitioner, ^{as} and when such an order is issued the petitioner may have a cause, ^{as} promotion is not a matter of right and as it is expected that the respondents will pass only lawful orders and in doing so he is governed by the decisions of the courts' on the matter, ^{it} which is prematured to anticipate any adverse order to the petitioner which is not lawful and which would necessarily be passed on account of the note referred to. The petitioner is free to approach the Tribunal as and when he has a cause to plead for interim relief at that stage.

With this observation the petition is summarily rejected with no order as to costs.


(P.H. TRIVEDI)
VICE CHAIRMAN


(P.M. JOSHI)
JUDICIAL MEMBER

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